



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

ATTY DOCKET NO.: 5405-316CTIPDV
DATE: April 14, 2004

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**



Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☐ a patent application
☐ a Continuation ☒ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: 10/120,785, filed April 12, 2002, which is a continuation-in-part of U.S. Application Serial No. 09/521,236, filed April 5, 2000, now U.S. Pat. No. 6,483,612, which is a continuation of U.S. Application Serial No. 09/060,906, filed April 15, 1998, now abandoned
☐ and claims the benefit of Provisional Application No. _____; filed _____.

Inventors: **Richard M. Knox; Dale S. Walker**

Entitled: **METHODS OF FORMING LOCALIZED POSITIVE OPTICAL POWER UNITS
IN A SUBSTRATE**

Myers Bigel Sibley & Sajovec, P.A.
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Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ 17 pages of Specification (including 12 claims)
3. ☒ 5 sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
 - a. ☐ newly executed (*original or copy*)
 - b. ☒ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below])
 - c. ☐ **DELETION OF INVENTOR(S)** (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76
6. ☒ Incorporation By Reference (*useable if box 4b is checked*)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.


7. ☐ Microfiche Computer Program (*Appendix*)
8. ☐ Assignment papers (*cover sheet(s) and document(s)*)
9. ☒ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☒ Information Disclosure Statement and PTO-1449
11. ☐ Preliminary Amendment (***Please enter all claim amendments prior to calculating the filing fee.***)
12. ☐ English Translation Document
13. ☐ Certified Copy of Application No. ; Filed
14. ☐ Sequence Listing/ Sequence Listing Diskette
 - a. ☐ computer readable copy
 - b. ☐ paper copy
 - c. ☐ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
17. ☐ Deletion of Inventor(s) (Signed statement attached deleting inventor(s) name in the prior application. See 37 CFR 1.63(d)(2) and 1.33(b).
18. ☐ Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form.
19. ☒ Other: **Remarks Accompanying Divisional Application; Revocation of Power of Attorney and New Power of Attorney by Assignee** (from parent application)

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$385.00	\$ 770.00
TOTAL CLAIMS	12 - 20 =	0	x 09 = \$	x 18 = \$
INDEP CLAIMS	1 - 3 =	0	x 43 = \$	x 86 = \$
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 145 = \$	+ 290 = \$
<i>If the difference in Col. 1 is less than zero, Enter "0" in Col. 2</i>			Total \$ 385.00	Total \$

- ☒ A check in the amount of **\$385.00** to cover the filing fee is enclosed.
- ☐ A check in the amount of \$ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$
- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
 - b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



Mitchell S. Bigel

Registration No. 29,614

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV 381441406 US

Date of Deposit: April 14, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Susan E. Freedman

Date of Signature: April 14, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Richard M. Knox; Dale S. Walker

Serial No.: To Be Assigned

Filed: Concurrently Herewith

For: METHODS OF FORMING LOCALIZED POSITIVE OPTICAL POWER
UNITS IN A SUBSTRATE

April 14, 2004

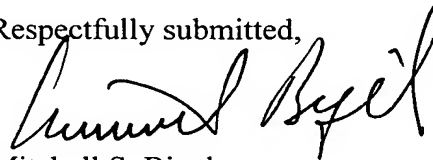
Mail Stop Patent Application
Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

REMARKS ACCOMPANYING DIVISIONAL APPLICATION

Sir:

The present divisional application is being filed for non-elected Claims 97-108 from parent Application Serial No. 10/120,785, which has now been allowed. Claims 97-108 of the parent application have been renumbered herein as Claims 1-12. The title has been changed to reflect the new claim scope. A cross-reference to the parent application also has been added. Favorable examination and allowance of the present application is respectfully requested.

Respectfully submitted,



Mitchell S. Bigel
Registration No. 29,614
Attorney for Applicants

Customer Number 20792

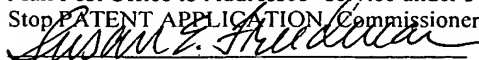
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